CONFERENCE ON DISARMAMENT

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FINAL RECORD OF THE SIX HUNDRED AND EIGHTY-FIFTH PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 28 July 1994, at 10 a.m.

President: Mr. Soemadi D.M. Brotodiningrat (Indonesia)

GE.94-63400 (E)

The PRESIDENT: I declare open the 685th plenary meeting of the Conference on Disarmament.

Before taking up the list of speakers, allow me to extend a warm welcome to the new representative of the Netherlands, Ambassador Jaap Ramaker, who is with us for the first time today. Ambassador Ramaker is not a newcomer to the Conference, since he was a member of his delegation to the CD some years ago. I am sure I speak for all of us when I say that we look forward to his contribution to our common endeavours, and that he can count on our full cooperation.

I have on the list of speakers for today the representatives of Morocco and Nigeria.

Mr. BENHIMA (Morocco) (translated from French): Mr. President, Indonesia's commitment in several bodies to disarmament strengthens my delegation's conviction that under your leadership the Conference will have added impetus which will help it to be successful in this year's work. Your predecessors in the presidency, Ambassadors Errera of France, Hoffman of Germany, Boytha of Hungary and Chandra of India deserve our praise for their valuable contribution to the development of the dynamism and the new direction that now characterizes the work of the Conference.

After nine years my mission to Geneva is ending and I should like very briefly to make a few personal remarks.

In the mid 80s I shared with my colleagues of the time the frustration and disappointment at the powerlessness and sidelining of the Conference which, for lack of political will, settled into a pointless debate, despite the arduous endeavours to find ways to attain the necessary compromises.

The spirit of Geneva which emerged from the summit meeting of November 1985 marked the beginning of a new era, in which bilateral negotiations on the major priorities of disarmament were, fortunately, accompanied by revitalization of the Conference's work.

With my colleagues of that time it was my privilege to see dialogue gradually replace confrontation and, after a lengthy process, mistrust give way to cooperation. Since then the Conference, by adopting the Chemical Weapons Convention, has demonstrated that it is still the most appropriate forum for the negotiation of other agreements. For a year now it has been engaged in a most exciting task, that of negotiating a nuclear-test-ban treaty. It is true that major differences of opinion persist because of the participants' legitimate concerns. In that connection, I cannot resist the temptation to mention the men and women who, by their unwavering commitment and the thoroughness and open-mindedness of their approach, have paved the way to the recent welcome developments in the Conference.

Today everyone must be mobilized if the Conference is going to carry through its task and meet the expectations of the international community. I think it has the means and the will to do so. It will succeed because its success is part of its destiny, the destiny of every living being.

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(Mr. Benhima, Morocco)

I would not wish to close this brief statement without expressing my gratitude to the Secretary-General, Mr. Vladimir Petrovsky, to the Deputy-Secretary-General, Mr. Abdelkader Bensmail, and to everyone in the secretariat and the interpreters for their effective contribution to our work. The NGOs that have worked for the cause of disarmament can be ensured of my delegation's support. I wish all my colleagues every success and extend to them my gratitude for their friendship.

The PRESIDENT: I thank the distinguished representative of Morocco for his statement and for the kind words he addressed to the presidency.

Ambassador Benhima has addressed the Conference for the last time. With the departure of Ambassador Benhima, not only do we lose a respected colleague and dean of Ambassadors to the Conferences, but also a seasoned diplomat whose valuable contribution to the CD will be remembered with appreciation. I would like to take this opportunity to wish Ambassador Benhima every success in his new and important duties and, of course, to extend to him and his family our best wishes for their new future.

Mr. FASEHUN (Nigeria): Mr. President, I would like to begin by endorsing the sentiments expressed on the departure of the Ambassador of Morocco. We wish him God speed in his new endeavours.

It is an honour for me to address this great disarmament multilateral negotiating body, the only one of its kind in the international system.

Your predecessors in the presidency have contributed substantially to the work of this body. We thank them for their laudable stewardship. We also thank you and the other chairmen of the various Ad Hoc Committees for piloting the Conference on Disarmament through various difficult issues and moments.

Systemic transformation in the last half-decade has affected our perception of security. The siege mentality and bifurcation of the world into ideological warring camps have ended. In their place are emergent new States and State structures, as well as systems of governance which have contributed to the relaxation of tensions at the global level. However, there are still many problems inherited from the past. There are also new problems - partly in consequence of the systemic changes - which pose security threats to States and mankind. Overall though, the changes of the past few years have offered us a new opportunity to build a safe and secure world.

In its previous configurations and in its present form, the Conference on Disarmament has been the most pre-eminent forum for global disarmament negotiations. With the end of the cold war, the Conference should be able to fulfil its role as a universal multilateral negotiating forum on all disarmament matters. Our optimism about a more functional and effective CD is based on the successful conclusion of the Chemical Weapons Convention. Our success in negotiating the Chemical Weapons Convention should be repeated, in earnest, on such priority issues as the nuclear test ban, fissile material cut-off and negative security assurances. No less important is the drawn out issue of the expansion of the Conference. Indeed, the acceptability of our

(Mr. Fasehun, Nigeria)

decisions on these important issues is dependent on how reflective the membership of the CD is of post-cold war changes. The CD should be expanded in time, before the conclusion of the CTBT negotiation.

Nigeria has long been an ardent supporter of a comprehensive test-ban treaty. Our advocacy of a total ban on nuclear-weapons testing began immediately after our independence. Our position, shared with the majority of States, was ignored. Hundreds of tests later and selective proliferation thereafter, the international community has begun to address seriously the issue of a nuclear test ban in all environments. We note the progress made in the broad discussion on all aspects of a comprehensive test ban. But there is still a long way to go. We ask that the negotiation be accelerated to enable the early conclusion of the treaty, preferably this year.

Disarmament agreements are outcomes of complicated negotiations between States parties to such agreements. What undergirds an agreement and speeds conclusion is political will. Absent a political will, there will not be agreement. Further, there is no definitively "good agreement". The "goodness" of an agreement cannot be determined by the contents of the agreement alone. Other factors such as confidence-building measures undertaken by the parties to the agreement, cognate issues that impinge on the agreement, and the balance of obligations and responsibilities, particularly of major military Powers, are important in concluding whether a disarmament agreement is good or not and whether it is a genuine non-proliferation and/or disarmament agreement. The CTBT must meet all these criteria to be considered a good agreement. Its strength cannot be determined solely by how comprehensive and sophisticated its verification system is.

As its title implies, a comprehensive test-ban treaty should prohibit any nuclear-weapon test explosion anywhere, any time and in any environment. The prohibition should be for all times and places without exception. To ensure transparency and to nurture confidence, all existing nuclear test sites should be declared, verified and closed.

Nigeria supports a verification system that can detect, identify and locate the source of any nuclear explosion. Such a system should also be cost-effective. We anticipate that a global seismic monitoring system will be the backbone of the verification system. Non-seismic techniques, such as radionuclide monitoring and hydroacoustics, that have proved their effectiveness should be deployed to complement global seismic monitoring. We see no need, at present, to deploy all available techniques of verification. However, there should be provision in the treaty to ensure that the verification system keeps pace with technological developments. The treaty should also contain provisions for on-site inspections. On-site inspection is important to dispel suspicion of violation and as a way to enhance confidence in the treaty.

As to organization, Nigeria's preference is for IAEA to be the agency to monitor the implementation of the CTBT. However, we are flexible and stand ready to consider a separate CTBT organization. Such an organization should

(Mr. Fasehun, Nigeria)

be slim, with few bureaucratic and technocratic overlays, but yet efficient enough to collate, analyse and exchange data on verification. The body should be accountable to the conference of States Parties.

With regard to entry into force, the CTBT should aim at universal adherence; yet the treaty should not be held hostage by any State. Consequently, we support the view that the treaty should enter into force once a reasonable and representative group of States have deposited instruments of ratification.

The greatest security assurance against the use of nuclear weapons is their destruction. Possession of nuclear weapons is fear-inspired and we have seen, as in the case of South Africa, that it is possible to give up nuclear weapons. Life will be normal thereafter. This is the goal of many States and of the majority of humanity. Pending the destruction of nuclear weapons, it is only appropriate that security assurances be given to those States that have faithfully adhered to international non-proliferation obligations.

More than at any period since the nuclear age began, the atmosphere is auspicious for nuclear-weapon States to negotiate a legally binding agreement that commits them not to use or threaten to use nuclear weapons against non-nuclear-weapon States. Elements of such a treaty are contained in document CD/768 tendered by Nigeria in July 1987. The Ad Hoc Committee on NSA under Ambassador Guillaume of Belgium has held discussions on this matter. We are of the view that the Committee should be given a negotiating mandate for an NSA convention.

The issue of the cessation of production of fissile material for weapons purposes has been actively discussed in the CD since January 1994. We wish to commend Ambassador Shannon of Canada for the consultations held on this issue. Given the many other nuclear disarmament issues on our agenda in the remaining part of 1994 and the first half of 1995, we should reach agreement soonest on the creation of an ad hoc committee with a negotiating mandate on the cut-off of fissile material. We are, of course, aware of the various positions held on what should be the mandate of such a committee, particularly as regards the stocks in the arsenals of States. The opportunity exists to discuss the issue of stocks when the verification system of a cut-off is discussed. We are of the view that General Assembly resolution 48/75L, adopted without a vote, is broad enough to accommodate the concerns of many States concerned with stockpiles. The resolution should also form the basis of the mandate of the ad hoc committee.

Given the importance of the issue, a cut-off convention should be negotiated in the CD; it should be transparent and should be internationally and effectively verifiable. A cut-off convention should contain provision for determining the number of existing stocks of fissile materials for weapons purposes and ways to render them useless for building nuclear bombs.

One area of disarmament in which the old rigidity appears to be holding sway is outer space. Not much progress has been made on the agenda item "Prevention of an arms race in outer space". Indeed, the CD, despite gallant

(Mr. Fasehun, Nigeria)

efforts by Ambassador Pérez Novoa of Cuba, has been restricted to discussing confidence-building measures, which, though necessary, cannot and should not be the goal of the prevention of the militarization of outer space. Neither should there be preoccupation with terminological issues that detract from the main focus of an urgent need for agreement on the prevention of an arms race in outer space.

We are, of course, aware of the existence of the 1967 Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space and the 1975 Convention on Registration of Objects Launched into Outer Space. In its article IV the Treaty prohibits the emplacement of "nuclear weapons or any other kinds of weapons of mass destruction" in orbit around the earth. However, this has not deterred some space Powers from sending military payloads into space and until recently there was an elaborate plan to weaponize space. There is certainly a need for a new and universally applicable treaty that will halt and prevent creeping militarization of space. Space is a joint heritage of mankind; it should not be abused to enhance national military power to the detriment of humanity.

As to transparency in armaments, Nigeria is not a major arms importer. The percentage of our gross domestic product expended on defence is small. Indeed, compared with many other States of similar size, our expenditure on defence is very insignificant. It is a mere 0.9 per cent of our gross domestic product.

Nigeria supported resolution 46/36L on transparency in armaments in the belief that the resolution could be a confidence-building measure, especially in areas of tension and conflict. We do intend to report to the register created by 46/36L once our database, which was destroyed by fire, has been reconstructed.

The Conference on Disarmament has, as we all know, not made much progress in addressing "as soon as possible the question of the interrelated aspects of the excessive and destabilizing accumulation of arms, including military holdings and procurement through national production". Indeed, the CD is bogged down by definitional difficulties. This apart, the staunch opposition to including weapons of mass destruction on the Register of Conventional Arms has given the impression that the Register is targeted against arms importers, while major military Powers can keep from international scrutiny the type and number of weapons of mass destruction in their arsenals. Confidence cannot be built on such a disproportionate arrangement. Indeed, lack of total transparency on all categories of armament can only fuel suspicion. The Register must be developed in a fair, balanced and equitable manner.

With reference to expansion of the CD, the Conference on Disarmament, in terms of its size and membership, is yet to reflect post-cold war changes. We know the main reason for the deadlock over admitting new members. Ambassador Paul O'Sullivan ably presented us with a list that is broadly acceptable to nearly all members. Ambassador Lampreia of Brazil has, in his capacity as friend of the Chair, tried to break the deadlock. Nigeria wishes to add its voice to those of the delegations that have called for quick and

(Mr. Fasehun, Nigeria)

early resolution of the expansion impasse. Certainly, the legitimacy of the CD could be called in question by its failure to open its membership to deserving States. Consequently, we appeal for flexibility in order to ensure quick resolution of the deadlock.

The agenda of the CD appears long and is annually repetitive. This reflects the importance of many of the issues before the Conference and their complicated nature. Security issues are not easily soluble and they are matters with which States are eternally seized. Hence, understandably, the preoccupation with such matters as nuclear issues in all its aspects and other weapons of mass destruction.

We wish to state that, given the end of the cold war, the disarmament priorities identified in the Final Document of the first special session of the General Assembly devoted to disarmament are more than ever relevant. We should take this into consideration in reviewing the agenda of the CD. Nigeria stands ready to cooperate with Ambassador Norberg of Sweden in reviewing the agenda of the CD.

We are six years from the end of a momentous but troubled century; a century in which mankind has dramatically developed technology to prolong its life; it is also the century in which mankind has harnessed technology to annihilate life and civilization. Twice in this century man has waged global wars with long-term consequences. Only recently have we taken steps from the nuclear abyss. The Conference on Disarmament, through hard and conscientious work on nuclear matters, can accelerate mankind's return to sanity. We should enter the twenty-first century safe from nuclear war and with enhanced security at a lower level of armaments.

The PRESIDENT: I thank the representative of Nigeria for his statement and for the kind words he addressed to me.

I would like to announce that the timetable for the schedule of meetings for next week is still being negotiated and it will be distributed this afternoon in the NSA committee.

That concludes our business for today. However, before adjourning, I wish to remind you that, immediately following this plenary meeting, Ambassador Kamal will hold informal open-ended consultations on improved and effective functioning of the Conference and, that in accordance with past practice, that meeting will be open to non-members States participating in the work of the Conference.

The next plenary meeting of the Conference will be held on Thursday, 4 August 1994 at 10 a.m.

The meeting rose at 10.40 a.m.